

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**FRANK LAWRENCE  
#07934-20**

**PLAINTIFF**

**v.**

**No: 4:20-cv-01224 JM-PSH**

**KENDRA ROBERTS, *et al.***

**DEFENDANTS**

**ORDER**

Plaintiff Frank Lawrence filed a *pro se* complaint, pursuant to 42 U.S.C. § 1983, on October 13, 2020, while incarcerated at the Pulaski County Detention Facility (Doc. No. 1). He was subsequently granted leave to proceed *in forma pauperis* (IFP) pursuant to 28 U.S.C. § 1915(a) (Doc. No. 10). Defendants Kendra Roberts and Bertha Lowe move to dismiss Lawrence's case for failure to prosecute (Doc. Nos. 39 & 40). Defendants attach a copy of Lawrence's booking sheet showing that he was released from Pulaski County Sheriff's custody on November 9, 2021 (Doc. No. 40-1). On December 2, 2021, the Court entered a text order informing Lawrence that if he intended to respond to the defendants' motion, he must do so within 14 days (Doc. No. 41). The Court's text order was sent to Lawrence's last known address but returned as undeliverable with a notation that he is no longer there (Doc. No. 42).

More than 14 days have passed, and Lawrence has not responded to the defendants' motion and mail sent to him has been returned as undeliverable. Accordingly, the Court finds that this action should be dismissed without prejudice based on Lawrence's failure to prosecute and to comply with Local Rule 5.5(c)(2). *See Miller v. Benson*, 51 F.3d 166, 168 (8th Cir. 1995) (District courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and exercise of that power is reviewed for abuse of discretion).

IT IS THEREFORE ORDERED THAT the defendants' motion to dismiss (Doc. No. 39) be granted and Lawrence's complaint (Doc. No. 1) and substituted complaint (Doc. No. 12) be DISMISSED WITHOUT PREJUDICE.

DATED this 28th day of December, 2021.

  
UNITED STATES DISTRICT JUDGE